II.—MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.

THE DEPUTY PRESIDENT :—"I have to announce to the House the following message from His Excellency the Governor, dated 30th January 1948.

'In pursuance of section 82, sub-section (3), of the Government of India Act, 1935, I, Archibald Edward Nye, Governor of Madras, hereby recommend to the Madras Legislative Council the consideration of the Motor Vehicles (Madras Amendment) Bill, 1948 ',"

III.—GOVERNMENT BILLS.

(1) THE MADRAS SUPPRESSION OF DISTURBANCES BILL, 1947—*cont.*

ABDUL LATIF FAROOKHI SAHIB BAHADUR :—" Sir, I rise to oppose this Bill. This is an independent House and is not bound by whatever might have been done in the other House. This Bill ought to have been properly called the 'Shoot as You Like' and 'Kill as You Please Bill.' I am very sorry that the Hon. Ministers have not realized the repercussions of this Bill. Let me tell them that the members of this House and you, Sir, may not be safe if this Bill is passed into law. The people to whom you are handing over the power to shoot may, even for a few simple offences committed in an area get the area declared 'a disturbed area' and snatch away power from you on the ground that they have to shoot a number of people including responsible officials on account of the fact that they will be a menace to the peace of the area. Clause 5 of the Bill says :

'*Any Magistrate, and any Police Officer not below the rank of Sub-Inspector, may, if in his opinion it is necessary so to do for restoring or maintaining public order, after giving such warning, if any, as he may consider necessary, order fire to be opened, or otherwise use force, even to the causing of death, against any person who in a disturbed area is acting in contravention of any law or order for the time being in force in such area* . . . '

According to the wording of the section, it is not necessary that there should be an unlawful assembly, it is not necessary that there should be any disturbance. Any Magistrate or any Police Officer not below the rank of the Sub-Inspector may go to anyone's house at any time of the day or night, call him out and say : 'You are a menace to the peace of the area ; therefore I have to shoot you.' He need not even give a warning ; he may simply shoot. What does this mean? It means that the Government have become panicky and want to grab at power. Under the grab of democracy, they are only trying to grab at as much power as possible and put the civil liberty of the individual into jeopardy. Clause 6 of the Bill says :

'*No prosecution, suit or other legal proceeding shall be instituted, except, with the previous sanction of the Provincial Government, against any person in respect of anything done or purporting to be done in exercise of the powers conferred by section 5.*'